

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED
JUL 08 2005
John D. Quile
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S. Clift

WILLIAM D. AMOS,)
Plaintiff,)
v.)
Case No. 4:05-CV-00005
VIRGINIA EMPLOYMENT)
COMMISSION, et al.,) By: Hon. Michael F. Urbanski
Defendant.) United States Magistrate Judge

DISCOVERY ORDER

Plaintiff William D. Amos has filed a lawsuit alleging that the Virginia Employment Commission ("VEC") discriminated against him in the course of his employment with VEC in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq.

This matter is before the court on defendant VEC's motion to compel discovery. (Docket No. 24) In its motion, VEC states that on May 6, 2005, it served by mail its first set of interrogatories and request for production of documents on plaintiff. After plaintiff responded to these interrogatories and requests for production, VEC wrote and informed him that his responses to the interrogatories and requests for production were either inadequate or his objections to them were improper, and that if full and complete discovery responses were not received by close of business on June 15, 2005, a motion to compel would be filed with the court. Defendant indicates that plaintiff has not provided any additional information. VEC filed a motion to compel and supporting memorandum on June 22, 2005, to which plaintiff responded on July 6, 2005.

Having reviewed the record, and after a hearing held via teleconference on July 7, 2005, it is clear that the information requested in discovery is relevant and discoverable under Fed. R.

Civ. P. 26. As such, defendant's motion to compel is **GRANTED** and plaintiff is **ORDERED** to supplement his answers to interrogatories, under oath, and provide responses to the documents requests within five (5) days as follows:

Interrogatory 4: Plaintiff is directed to identify all persons with knowledge or information concerning the facts and matters alleged in the Complaint or Answer. For each person identified, plaintiff is directed to provide the full name, home address and telephone number, work address and telephone number, and the substance of their knowledge.

Interrogatory 5: Plaintiff is directed to fully answer the interrogatory as phrased, including the requested details of the alleged threats and identifying the e-mails referred to in the initial answer.

Interrogatory 7: Plaintiff is directed to fully answer the interrogatory as phrased, including the details requested regarding the information provided.

Interrogatory 11: Plaintiff is directed to identify the e-mails referred to in the initial answer.

Interrogatory 14: Plaintiff is directed to fully answer the interrogatory as phrased. This information is relevant to mitigation and damages.

Interrogatory 19: Plaintiff is directed to fully answer the interrogatory as phrased. This information is relevant to mitigation and damages.

Interrogatory 20: Plaintiff is directed to identify his current salary and/or hourly rate of pay at his present employer. This information is relevant to mitigation and damages.

Request for Production of Documents: Plaintiff is directed to produce a copy or make available for inspection documents responsive to Requests 1-11 and 16-17.

Should plaintiff contend that certain documents are protected from applicable privilege, plaintiff is directed provide a privilege log to defendant with his responses including the author and recipient of any such communication, the date it was made, the general nature of the

information, and the basis for withholding it. Plaintiff is **DIRECTED** to confidentially submit any information which he contends to be privileged to the court for in camera review within ten (10) days of this Discovery Order. The court will then review any materials submitted and issue a written opinion on the claimed privilege.

Defendant is **DIRECTED** to supplement his discovery responses in compliance with this Discovery Order within five (5) days of the date of this Order.

It is so **ORDERED**.

ENTER: This 8 day of July, 2005.



UNITED STATES MAGISTRATE JUDGE